

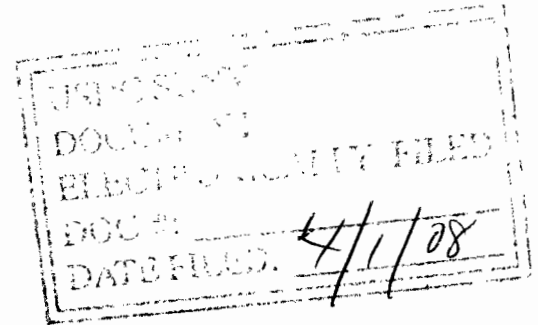
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OCEAN RIDGE CAPITAL  
ADVISORS, LLC as Litigation Trustee  
of THE MAS LITIGATION TRUST,

Plaintiff,

- against -

METROPOLITAN LIFE INSURANCE  
COMPANY, THE NORTHWESTERN  
MUTUAL LIFE INSURANCE  
COMPANY, CAPITAL D'AMERIQUE  
CDPQ, INC., CAISSE DE DEPOT ET  
PLACEMENT DU QUEBEC, CSFB  
LP HOLDING, SKOOG FAMILY  
INVESTMENTS, LLC,  
BANCAMERICA CAPITAL  
INVESTORS, LP, WINDWARD/PARK  
AB II, LLC, WINDWARD CAPITAL  
PARTNERS, LP, WINDWARD  
CAPITAL ASSOCIATES, LP,  
SUEZ CAPITAL PARTNERS II, LP,  
INDOSUEZ CAPITAL CO-INVEST  
PARTNERS, LP, SCP II ASSOCIATES,  
CREDIT SUISSE FIRST BOSTON,  
GOLDMAN SACHS CREDIT  
PARTNERS, LP, ROBERT H. BARTON,  
III, H.H. WACASER, PETER S.  
MACDONALD, GARY SWENSON,  
JOHN F. MAYPOLE, THOMAS  
GRAHAM, DONALD A. MCKAY,  
HENRY A. NICKOL, JEFFREY  
HODGMAN, A. KIPP KOESTER,  
CRAIG VAN ESS, GURMINDER,  
S. BEDI, THOMAS WALKER, JACK



ORDER OF DISMISSAL

07 Civ. 3213 (SAS)

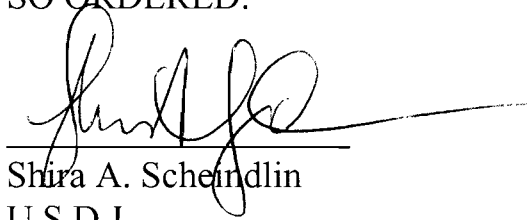
|                                       |          |
|---------------------------------------|----------|
| <b>SKOOG,</b>                         | :        |
|                                       | :        |
| <b>Defendants.</b>                    | :        |
|                                       | :        |
| -----                                 | <b>X</b> |
| -----                                 | <b>X</b> |
| <b>METROPOLITAN LIFE INSURANCE</b>    | :        |
| <b>COMPANY and</b>                    | :        |
| <b>THE NORTHWESTERN MUTUAL</b>        | :        |
| <b>LIFE INSURANCE COMPANY,</b>        | :        |
|                                       | :        |
| <b>Third-Party Plaintiffs,</b>        | :        |
|                                       | :        |
| <b>- against -</b>                    | :        |
|                                       | :        |
| <b>RICHARD NEWSTED,</b>               | :        |
|                                       | :        |
| <b>Third-Party Defendant.:</b>        | :        |
| -----                                 | <b>X</b> |
| <b>SHIRA A. SCHEINDLIN, U.S.D.J.:</b> |          |

The parties having notified the Court that they have reached a resolution of this action,

IT IS HEREBY ORDERED that the above captioned action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that within 30 days of the date of this Order, counsel for any party may apply by letter for restoration of the action to the calendar of the undersigned if the

settlement is not effected, in which event the action will be restored.

SO ORDERED:



Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
March 31, 2008

**- Appearances -**

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